

California Regional Water Quality Control Board
Santa Ana Region

October 6, 2000

ITEM: 11

SUBJECT: REQUEST FOR CLEANUP AND ABATEMENT ACCOUNT FUNDS
FOR THE INVESTIGATION OF HUNTINGTON BEACH MICROBIAL POLLUTION
PROBLEMS

BACKGROUND:

The Cleanup and Abatement Account (CAA) was created by Water Code Sections 13440-13443. Monies received from court judgements and the assessment of administrative civil liabilities fund the Account. The management of the CAA is the responsibility of the State Water Resources Control Board. Monies from this Account are available for contract services to cleanup a waste or abate the effects of a waste discharge and to remedy an actual or potential unforeseen public health threat. The State Water Resources Control Board, the regional boards, or any public agency with the authority to cleanup or abate the effects of waste discharges are eligible for funding from the CAA. The State Water Resources Control Board allocates monies from the CAA for special projects and for emergency projects on a case-by-case basis.

On July 21, 2000, the County of Orange, in collaboration with the National Water Research Institute, Orange County Sanitation District and the beach cities, made a request for a contribution of \$200,000 from the Santa Ana Regional Water Quality Control Board. The proposal was for the Santa Ana Regional Board to obtain \$200,000 from the CAA for a project to investigate a serious public health threat caused by microbial contamination of ocean waters off Huntington Beach that was identified during the summer of 1999 and 2000.

PROJECT DESCRIPTION

During 1999 and 2000, the Orange County Health Care Agency's Health Officer closed portions of Huntington Beach to the public due to microbial contamination of the nearshore waters. This caused economic hardship for the businesses in the area and had a tremendous adverse impact on the beneficial uses of the nearshore zone. The Orange County Sanitation District, Orange County, and a number of local agencies launched risk-based source investigations during 1999. These investigations focused on potential sources of sewage contamination. No evidence of sewage leaks or discharges that could be linked to the microbial problems in Huntington Beach were identified. The National Water Research Institute and other agencies funded a second study that focused on tidal transport of bacteria between the Talbert watershed and the ocean. This study indicated that Talbert Marsh may be a source and that other sources may be contributing to the problem, including urban runoff.

The microbial contamination of the nearshore waters of Huntington Beach continues to threaten public health and the local economy. There is an urgent need to identify the pollutant sources and to alleviate the threat to public health. Runoff entering the ocean from the Lower Santa Ana Watershed has been identified as a potential source of the Huntington Beach contamination problem. The National Water Research Institute, Orange County, Orange County Sanitation District and the beach cities are sponsoring a third study to identify the sources and dynamics of pollutants in the Lower Santa Ana River Watershed. These project sponsors have requested a contribution of funds from the CAA through the Regional Board.

AMOUNT OF CAA FUNDS REQUESTED:

The total cost of the proposed study is \$510,890. The National Water Research Institute is contributing \$100,000 and Orange County, including the Sanitation District and the beach cities, is contributing \$210,890. If this request for CAA funds is approved, the Santa Ana Regional Board contribution would be \$200,000.

An application for Cleanup and Abatement Account Funds is included as “Attachment 1” to this Staff Report.

RECOMMENDATION:

Adopt Resolution No. 00-84 recommending that \$200,000 from the Cleanup and Abatement Account Funds be allocated to the Santa Ana Regional Board for contributing to the project as described in Attachment 1.

California Regional Water Quality Control Board
Santa Ana Region

RESOLUTION NO. 00-84

Request for Cleanup and Abatement Account Funds for the Huntington Beach
Microbial Contamination Study

WHEREAS:

1. Sections 13440-43 of the California Water Code established the State Water Pollution Cleanup and Abatement Account (Account) to be administered by the State Water Resources Control Board (State Board).
2. Grants to public agencies and Regional Boards are available from the Account. The State Board may order monies to be paid from the Account to assist a public agency or the Regional Board to assist it in cleaning up the waste or abating its effects on waters of the State.
3. A serious public health threat exists at the Huntington Beach area of Orange County due to microbial contamination of nearshore waters. The sources of the microbial contamination have not been determined. The Regional Board is proposing to co-sponsor a study to investigate the sources of microbial contamination at Huntington Beach, and is requesting that the State Board allocate \$200,000 from the Account as the Regional Board's contribution to this study.
4. After notice to all interested parties, this Regional Board conducted a public hearing on October 6, 2000 to consider all the evidence introduced at and prior to that hearing with regard to the request for Account monies for the Huntington Beach microbial investigation project.

THEREFORE, BE IT RESOLVED THAT:

1. The project described in Attachment 1 is recommended to the State Water Resources Control Board for allocation of funds from the Cleanup and Abatement Account.
2. The total amount of funds requested from the Cleanup and Abatement Account for this project is \$200,000 (two hundred thousand dollars).

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the foregoing is full, true and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Santa Ana Region, on October 6, 2000.

Gerard J. Thibeault
Executive Officer